

**Notice of Allowability**

Application No.

10/676,781

Examiner

Stephen Elmore

Applicant(s)

DODD, JAMES M.

Art Unit

2185

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed 30 September 2003.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 9/30/03, 1/28/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

*SEW* 3/17/2006  
**STEPHEN C. ELMORE**  
**PRIMARY EXAMINER**

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**EXAMINER'S COMMENT, AMENDMENT and REASONS for ALLOWANCE**

***Information Disclosure Statement***

1. The Information Disclosure Statement filed September 30, 2003 contains the document, patent application 10/229,617, which could not be considered and has been "lined-through" because: 1) this document was never publicly published as a PG PUB document (and so, has privacy issues precluding recitation by the examiner on the face of the issued patent), and additionally, 2) this document (now abandoned) is unavailable to the examiner anywhere within in the Office's electronic database system.

**EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

3. Authorization for this examiner's amendment was given in a telephone interview with Paul A. Mendonsa, Reg. No. 42,879, on 17 March 2006.

4. The application has been amended as follows:

**IN THE SPECIFICATION**

paragraph [0011], third sentence, remove the language,

"or transmitting";

paragraph [0011], fourth sentence, remove the language,

"electrical, optical, acoustical or other forms of propagated signals (e.g., carrier waves, infrared signals, digital signals, etc.),".

**IN THE CLAIMS**

In Claim 20, first line, after "machine-readable" insert "--medium--";

In Claim 20, first line, after "claim 19" remove "medium".

**REASONS for ALLOWANCE**

5. The following is an examiner's statement of reasons for allowance:

In independent claims 1, 9, 14 and 19, directed towards a method, an apparatus, a system and a machine-readable medium, the following features taken in combination with the remaining limitations of the independent claim are not found in and or are not obvious in view of the prior art of record,

**Claim 1,**

*"adapting generation of page close messages based upon the effectiveness of the page close messages";*

**Claim 9,**

*"page close logic to adaptively generate, based upon the effectiveness of the page close determinations, a page close message";*

**Claim 14,**

*"a memory controller to adaptively make a page close determination for a memory transaction based upon effectiveness of one or more prior page close determinations";*

**Claim 19,**

*"adaptively generating, based upon the effectiveness of the page close messages, page close messages";*

where in the above claims the terminology "effectiveness" has been interpreted as having Applicant's scope of meaning disclosed in the Specification, paragraph [0022], first sentence, paragraph [0027], first sentence, and paragraph [0029], first sentence.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Elmore whose telephone number is (571) 272-4436. The examiner can normally be reached on Mon-Fri from 9:30-6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim can be reached on (571) 272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 17, 2006

  
**STEPHEN C. ELMORE**  
**PRIMARY EXAMINER**